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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,537	09/19/2003	Richard D. Dettinger	ROC920030157US1	4274

7590 08/02/2006  
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EXAMINER

LY, CHEYNE D

ART UNIT PAPER NUMBER

2168

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/664,537

**Applicant(s)**

DETTINGER ET AL.

**Examiner**

Cheyne D. Ly

**Art Unit**

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 20-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 20-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                       |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)   |
| Paper No(s)/Mail Date <u>9/19/03; 10/25/04</u> .   | 6) <input checked="" type="checkbox"/> Other: <u>dictionary.com, page 1</u> . |

### **DETAILED ACTION**

1. Applicant's election without traverse of Group I, claims 1-5 and 20-28 in the reply filed on June 30, 2006 is acknowledged.
2. The cancellation of claims 6-19 and 29-38 has been acknowledged.
3. Claims 1-5 and 20-28 are examined on the merits.
4. The IDS, filed September 19, 2003 and October 25, 2004, respectively, have been considered.

### **OBJECTIONS**

5. The specification states that the present invention is related to the commonly owned, co-pending U.S. patent application 10/083,075 and 10/403,356. Applicant is required to update the status of said co-pending U.S. patent applications, because said co-pending application has been issued as patent US 6996558 B2, and 7054877 B2, respectively.

### **CLAIM REJECTIONS - 35 USC § 101**

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 20-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
8. Claims 20-28 are directed to a computer-readable medium embodying signal-bearing media such as information conveyed to computer...through a computer or telephone network, including wireless communications (page 8, [0026]). It is noted that the claimed invention embodies signal-bearing media including wireless communications which is not a suitable type of medium as specified under 35 U.S.C. 101.

### **CLAIM REJECTIONS - 35 USC § 102**

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-5 and 20-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Barger et al. (1999) (Barger hereafter).

### **CLAIM INTERPRETATIONS**

11. It is noted claims 1-5 and 20-28 recite the limitation of an “interface allowing...” wherein the limitation of “allowing” has been interpreted as “to let do or happen; permit” (dictionary.com, page 1). Therefore, the limitations (features) that are allowed by the claimed interface been construed as being permitted by said interface, however, not necessarily required. As cited below, Barger describes an interface supported by data stored in a relational database. As supported by Ramakrishnan R. (pages 28-29), the allowed features are well known in the art to be inherent features of relational databases. Therefore, the interface and database (structures) describes by Barger has been construed to be capable of “allowing” the recited features.

### **BASIS FOR PRIOR ART**

12. In regard to claim 1, Barger discloses a method of exchanging information via an annotation (Abstract etc.), comprising:

- Providing an interface (page 3, section 2.2.3, to page 6, column 2, last line) allowing a user to view query results, select a data object from the query results (page 2,

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column 2, section 2.2.1, especially last two lines), and create an annotation with a scope encompassing a selected data object (page 5, Figure 6); and

- Providing an interface element allowing the user to expand the scope of the annotation (page 4, column 2, section 2.3.5, and page 5, column 1, lines 34-50). It noted that the cited disclosure of “if the users wishes to see the full content of a particular annotation...without having to download the content of other annotations in the query result set” supports the required limitation of “expand the scope...”

13. In regard to claim 2, Barger on discloses wherein providing an interface element **allowing** the user to expand the scope of the annotation comprises providing an interface element **allowing** the user to associate the annotation with a primary key (page 3, column 1, lines 10-13) for a row of data containing the selected data object (page 5, column 1, section 2.3.7, to column 2, last line). It is noted that the interface of Barger on is supported by data stored in a relational database as cited above. As supported by Ramakrishnan R. (pages 28-29), it is well known in the art that the data stored in a relational database described by Barger on are associated with primary keys.

14. In regard to claim 3, Barger on discloses an interface allowing a user to view query results and create an annotation with a scope related to the selected data object comprises:

- Providing an interface **allowing** the user to select one or more rows, columns, or cells of the query results (page 5, Figure 6); and
- providing an interface **allowing** the user to create an annotation for the selected one or more rows, columns, or cells (page 5, Figure 6).

It is noted that the interface of Bargerion is supported by data stored in a relational database as cited above. As supported by Ramakrishnan R. (pages 28-29), it is well known in the art that the data stored in a relational database described by Bargerion are associated with rows, columns, or cells of the query results.

15. In regard to claim 4, Applicant discloses “model entity generally refer to a data object associated with a set of related fields” (page 7, lines 1-2). Bargerion discloses an interface allowing the user to associate the annotation with a model entity encompassing the selected object (pages 4-5, Figures 4-6); and storing the annotation with a reference to the model entity (page 2, column 2, section 2.2.1, to page 3, column 1, line 27).
16. Claims 5 and 20-23, Bargerion discloses the claimed invention as cited above. Further, Bargerion discloses the computer-readable medium (page 2, column 1, section 2, to page 3, column 2, line 23).
17. In regard to claim 24, Bargerion discloses the selected data object is an instance value of a field encompassed by an entity (page 4, column 2, section 2.3.5). It is noted that the interface of Bargerion is supported by data stored in a relational database as cited above. As supported by Ramakrishnan R. (pages 28-29), it is well known in the art that the data stored in a relational database described by Bargerion are associated with data object is an instance value of a field encompassed by an entity.
18. In regard to claim 25, Bargerion discloses displaying second query to a second user (page 5, column 1, lines 41-50), wherein at least a portion of the second query results are associated with the entity; and displaying, to the second user, an indication of the annotation (page 5, columns 1-2, section 2.3.7).

19. In regard to claim 26, Bargerón discloses the second query results do not contain the selected data object described by the annotation (page 5, column 1, section 2.3.6). As cited above, Bargerón discloses one annotation set could be created for each student to which only the student has read/write access and the professor has read access. "Another set entitled class discussion could grant read/write access to all class members. It is noted that the query annotation with access control, described by Bargerón, supports that the query results would not contain the selected data object described by the annotation that belongs to another student.

20. In regard to claims 27 and 28, Bargerón discloses the claimed invention as cited above.

### **CONCLUSION**

21. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance.

Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your

application serial or patent number, the type of document you are having an image

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Electronic Business Center will notify applicants of the resolution of the problem within

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supporting all patent business on the Internet. The USPTO's PAIR system provides

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applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

22. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199. The USPTO's official fax number is 571-272-8300.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716.

The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached on (571) 272-3642.

C. Dune Ly   
Patent Examiner  
7/23/06